

Message Text

CONFIDENTIAL

PAGE 01 STATE 187131

63

ORIGIN L-03

INFO OCT-01 ARA-06 ISO-00 SSO-00 /010 R

DRAFTED BY L/ARA:M.KOZAK:JV

APPROVED BY ARA - H. SHLAUDEMANN

ARA/CAR - T. HEAVNER (DRAFT)

----- 051357

O 282322Z JUL 76

FM SECSTATE WASHDC

TO AMEMBASSY PORT OF SPAIN IMMEDIATE

C O N F I D E N T I A L STATE 187131

E.O. 11652: GDS

TAGS: PFOR, ETRD, TD, US

SUBJECT: U.S. COURT SUIT RE COMPLIANCE WITH FOREIGN
AGENTS REGISTRATION ACT

REF: PORT OF SPAIN 1925

1. DEPARTMENT HAS AGAIN DISCUSSED MATTER WITH PROSECUTION
AND DEFENSE ATTORNEYS TO DETERMINE STATUS OF THE CASE.
JUSTICE ADVISES THAT PRIOR TO FILING SUIT, THEY HAD PRO-
VIDED ATTORNEYS FOR TT WITH DRAFT CONSENT ORDER. ALTHOUGH
TT ATTORNEYS DID NOT APPEAR TO HAVE ANY SIGNIFICANT OBJEC-
TIONS TO ORDER AS DRAFTED, THEY DID NOT REPEAT NOT SIGN IT.
JUSTICE THEREFORE PROCEEDED TO FILE SUIT WITH COURT TO
PRESERVE ITS LEGAL POSITION, BUT STATED BOTH TO TT ATTORNEYS
AND TO JUDGE WILLINGNESS TO ACCEPT CONSENT ORDER.

2. AT HEARING HELD JULY 2, JUSTICE INFORMED JUDGE THAT NO
PROGRESS HAD BEEN MADE ON CONSENT ORDER DUE TO LACK OF
RESPONSE ON PART OF DEFENDANTS. JUDGE INSTRUCTED PARTIES
TO MEET TO ATTEMPT TO RESOLVE PROBLEM PRIOR TO NEXT
SCHEDULED HEARING. FOR WHATEVER REASON, TT LAWYERS DID
NOT MAKE ANY EFFORTS TO RESPOND TO OUTSTANDING JUSTICE
PROPOSAL ON CONSENT ORDER. ACCORDINGLY, IN ORDER TO
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 187131

PRESERVE ITS POSITION IN THE LITIGATION, JUSTICE FILED A

MOTION FOR SUMMARY JUDGMENT, AGAIN STATING ITS WILLINGNESS TO RESOLVE MATTER WITH MUTUALLY ACCEPTABLE CONSENT ORDER. TT ATTORNEYS AGAIN DID NOT RESPOND TO CONSENT ORDER PROPOSAL, BUT FILED AN ANSWER TO THE MOTION FOR SUMMARY JUDGMENT.

3. ORAL ARGUMENT ON MOTION WAS HELD FRIDAY, JULY 23. APPARENTLY COURT AGREED WITH JUSTICE THAT TT ATTORNEYS' ANSWER TO MOTION WAS LEGALLY INSUFFICIENT, BUT GAVE TT ATTORNEYS 10 DAYS TO FILE PROPER AFFIDAVITS IN RESPONSE TO MOTION. TEN DAY PERIOD WILL EXPIRE AUGUST 2, AND A DECISION COULD BE EXPECTED SOON THEREAFTER. JUSTICE ADVISES US THAT IT IS STILL PERFECTLY WILLING TO PROCEED WITH CONSENT ORDER, WHICH WOULD RESULT IN TERMINATION OF ALL LEGAL PROCEEDINGS.

4. ATTORNEYS FOR GOTT/IDC BASICALLY CONFIRMED ABOVE. THEY CLAIM THEY HAVE NOT HAD AN OPPORTUNITY TO FOCUS ON PROPOSED CONSENT ORDER BECAUSE SENIOR PARTNER (WHO HAS CONTACTS WITH GOTT) HAS BEEN OUT OF TOWN ON ANOTHER CASE. THEY EXPECT TO PURSUE CONSENT ORDER WITH JUSTICE WHEN THEY HAVE TIME TO DO SO. THEY ARE NOT CONCERNED BY MOTION FOR SUMMARY JUDGMENT, ON THE GROUNDS THAT "SUCH MOTIONS ARE RARELY GRANTED." THEY FEEL THERE IS "NOTHING TO BE UPSET ABOUT" AT THIS POINT.

5. YOU MAY ADVISE APPROPRIATE GOTT OFFICIALS THAT JUSTICE WOULD ACCEPT CONSENT ORDER AS DRAFTED IF DEFENDANTS WILLING TO SIGN, OR WOULD BE WILLING TO NEGOTIATE IF DEFENDENTS WISH TO PROPOSE CHANGES TO DRAFT ORDER. GOTT MAY WISH TO CONTACT ITS ATTORNEYS TO DISCUSS MATTER FURTHER. KISSINGER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LITIGATION, ALIEN REGISTRATION, FOREIGN INTEREST REPRESENTATION, COURT PROCEEDINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 28 JUL 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE187131
Document Source: CORE
Document Unique ID: 00
Drafter: M.KOZAK:JV
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760292-0583
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760712/aaaaakfp.tel
Line Count: 93
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 PORT OF SPAIN 1925
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 27 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <27 JUL 2004 by KelleyW0>; APPROVED <29 OCT 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: U.S. COURT SUIT RE COMPLIANCE WITH FOREIGN AGENTS REGISTRATION ACT
TAGS: PFOR, ETRD, TD, US
To: PORT OF SPAIN
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006